

# CONGRATULATING THE MEMBERS OF THE U.S. OLYMPIC AND PARALYMPIC TEAMS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 440, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 440) congratulating and commending the members of the United States Olympic and Paralympic teams, and the United States Olympic Committee, for their success and inspired leadership.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 440) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 440

Whereas athletes of the United States Winter Olympic Team captured 9 gold medals, 9 silver medals, and 7 bronze medals at the Olympic Winter Games in Torino, Italy;

Whereas the total number of medals won by the competitors of the United States placed the United States ahead of all but 1 country, Germany, in total medals awarded to teams from any 1 country;

Whereas the paralympic athletes of the United States captured 7 gold medals, 2 silver medals, and 3 bronze medals at the Paralympic Winter Games, which were held immediately after the Olympic Winter Games in Torino, Italy;

Whereas the total medal count for the United States Winter Paralympic Team ranked the team 7th among all participating teams;

Whereas members of the United States Winter Olympic Team, such as skater Joey Cheek, who donated his considerable monetary earnings to relief efforts in Darfur, Sudan, and skier Lindsey Kildow, who exhibited considerable courage by returning to the field of competition only days after a painful and horrendous accident, demonstrated the true spirit of generosity and tenacity of the United States and the Olympic Winter Games; and

Whereas the leadership displayed by United States Olympic Committee Board Chairman Peter Ueberroth and Chief Executive Officer Jim Scherr has helped transform the committee into an organization that—

(1) upholds the highest ideals of the Olympic movement; and

(2) discharges the responsibilities of the committee to the athletes and the citizens of the United States in the manner that Congress intended when it chartered the committee in 1978: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends and congratulates the members of the 2006 United States Winter Olympic and Paralympic Teams;

(2) expresses its appreciation for the firm, inspired, and ethical leadership displayed by the United States Olympic Committee; and

(3) extends its best wishes and encouragement to those athletes of the United States and their numerous supporters who are pre-

paring to represent the United States at the 2008 Olympic Games, which are to be held in Beijing, China.

## NATIVE AMERICAN TECHNICAL CORRECTIONS ACT OF 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be discharged from further consideration of H.R. 3351 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3351) to make technical corrections to laws relating to Native Americans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCAIN. Mr. President, H.R. 3351, the Native American Technical Corrections Act of 2005, was passed by the House on November 16, 2005, and referred to the Committee on Indian Affairs. Many of the provisions in the House bill have already been acted on by the Senate in various bills. I will ask the Senate to pass the bill with a substitute amendment which includes most of the provisions in the original House version of the bill as well as some amendments that were not in the House version. I am pleased to be joined by Senator DORGAN as an original cosponsor of the amendment.

The Senate amendment to H.R. 3351 that I am offering contains the following: Section 104 is the same as S. 1484, which passed the Senate on July 26, 2005, and it amends the Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990 to adjust the spending rule set forth in that act for the Tribe's Settlement Fund. The provision would authorize expenditure of 6 percent of the average market value of the Settlement fund over the preceding 3 years. Section 201 is the same as S. 706, which passed the Senate on July 26, 2005, and it authorizes the transfer of lands, now held by the U.S. Army Corps of Engineers, to the Department of the Interior to be held in trust for the benefit of the Prairie Island Indian community in Red Wing, MN. The transfer will have no effect on the tax status of the lands, nor will the Prairie Island Indian Community be permitted to develop commercial or gaming facilities on the land; section 202 authorizes various 99-year leases. Part of this section passed Senate in S. 1485 on July 26, 2005, while other provisions were contained in H.R. 3351. Section 203 addresses the problem of lack of appraisers in Indian country by providing that for purposes of obtaining agricultural loans, the market value of land is the default appraisal value. This section is the same as S. 1489, that passed the Senate on July 26, 2005. Section 301 previously passed the Senate in S. 1295 on December 12, 2005, and it authorizes the National Indian Gaming Commission to collect fees up to 0.08

percent of gross gaming revenues, and eliminates \$12 million cap, and subjects NIGC to the Government Performance and Results Act. Section 401, like S. 1758, that passed the Senate on August 22, 2005, amends the Indian Financing Act of 1974 to clarify that nonprofit tribal entities are eligible for Bureau of Indian Affairs Loan Guaranty Program. In addition, because the BIA is fast reaching its \$500 million limit on the amount of loans it can have outstanding, and this section will increase that number to \$1.5 billion.

The four new provisions that have not passed the Senate as stand-alone measures do the following: Section 101 corrects a drafting error to the Alaska Native Claims Settlement Act; section 102 facilitates exchanges between Alaska Regional and Village Corporations of land obtained through the Alaska Native Claims Settlement Act by clarifying that undeveloped land received by each Native corporation participant in the exchanges is deemed to be land conveyed under ANCSA; and section 103 will allow the State of Mississippi to pay the Mississippi Choctaw for work already preformed, through a newly established BIA Trust Fund. The final new provision is section 501, the Native American Probate Reform and Technical Amendment, described in more detail below.

Section 501 corrects drafting errors and clarifies and includes new provisions relating to amendments made by the American Indian Probate Reform Act of 2004, AIPRA, and S. 1481, which was enacted into law in December of 2005. One of these provisions is an amendment to 25 U.S.C. 464. In 2004, this section was amended in AIPRA so that it would conform to the new uniform Indian probate code that was the centerpiece of AIPRA; however, after reviewing the various amendments that were made by AIPRA, which was a very complex piece of legislation, we concluded that the AIPRA amendments to 25 U.S.C. 464 was drafted in a way that its execution was unclear. So in the 109th Congress, we attempted to correct this in S. 1481—P.L. 109-157, enacted on December 30, 2005, by restating section 464 as it should have read. Unfortunately, there were drafting errors in S. 1481 that were not picked up prior to its enactment. Accordingly, my substitute amendment includes a new restatement of section 464 correcting these drafting errors and conforming the statute to the new uniform Indian probate code enacted as part of AIPRA. I would like to make the point here that the purpose of the amendments restating section 464, both in S. 1481 and in the current substitute amendment to H.R. 3351, were and are intended to do nothing more than to conform the provisions in that section relating to the devise and inheritance of lands to the new uniform probate code contained in the American Indian Probate Reform Act of 2004. As the author of both S. 1481 and the substitute amendment, I want to make it clear